

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

BEATSTARS INC.,

*Plaintiff,*

v.

SPACE APE LIMITED and JOHN DOE  
ENTITY,

*Defendants.*

CIVIL ACTION NO. 1:21-CV-00905-ADA

**ORDER:**  
**DENYING PLAINTIFF’S MOTION FOR SANCTIONS**  
**AND RESOLVING DISCOVERY ISSUES**

Defendant’s request to run its proposed tenth search term, dated September 19, 2023, Plaintiff’s request for Defendant to run Plaintiff’s proposed tenth search term and to produce all resulting non-privileged hits without withholding any documents based on relevance or responsiveness, dated September 25, 2023, and Plaintiff’s Motion for Sanctions (Doc. 76) came on for hearing on September 28, 2023.

Good cause appearing, the court rules as follows:

1. Plaintiff’s Motion for Sanctions (Doc. 76) is DENIED.
2. Defendant’s request to run its proposed search term is DENIED.
3. Plaintiff’s request for Defendant to run Plaintiff’s proposed search term is GRANTED.
4. Plaintiff’s proposed tenth search term is as follows:

name w/5 (app~ or game)) AND NOT (“Rival Kingdoms” OR  
“<nickname(s) for Rival Kingdoms>” OR “Transformers” OR  
“<nickname(s) for Transformers>” OR “Earth Wars” OR “<nickname(s)  
for Earth Wars>” OR “Fastlane” OR “<nickname(s) for Fastlane>” OR  
“Road to Revenge” OR “<nickname(s) for Road to Revenge>”).

5. Defendant shall produce all documents that hit on any of the ten proposed search terms beginning with a production of the first batch of documents (up until August 31, 2021), by Wednesday, October 4.
6. If there are any documents withheld on the grounds of privilege, Defendant shall identify them on a privilege log and promptly serve that privilege log. Defendant may not withhold any documents based on responsiveness or relevance.
7. The Parties shall meet and confer as to a new scheduling order and submit an updated scheduling order with a trial date in September/October of 2024. The Standing Order Governing Patent Cases shall apply to summary judgment motions. If the parties cannot agree to a date, they should submit a proposed order with each party's proposal.
8. All other relief requested is hereby DENIED.

IT IS SO ORDERED this 7th day of November, 2023.

A handwritten signature in black ink, appearing to read "Alan D. Albright", is written over a horizontal line.

HONORABLE ALAN D ALBRIGHT  
UNITED STATES DISTRICT JUDGE